

111TH CONGRESS  
2D SESSION

# H. R. 4887

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IN THE SENATE OF THE UNITED STATES

MARCH 22 (legislative day, MARCH 19), 2010

Received; read twice and referred to the Committee on Finance

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## AN ACT

To amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “TRICARE Affirmation  
3 Act”.

4 **SEC. 2. TREATMENT OF DEPARTMENT OF DEFENSE**  
5 **HEALTH COVERAGE AS MINIMAL ESSENTIAL**  
6 **COVERAGE.**

7       (a) IN GENERAL.—Section 5000A(f)(1)(A) of the In-  
8 ternal Revenue Code of 1986, as added by section 1501(b)  
9 of the Patient Protection and Affordable Care Act, is  
10 amended—

11           (1) by striking clause (iv) and inserting the fol-  
12 lowing new clause:

13                   “(iv) medical coverage under chapter  
14                   55 of title 10, United States Code, includ-  
15                   ing coverage under the TRICARE pro-  
16                   gram;”;

17           (2) by striking “or” at the end of clause (v);

18           (3) by striking the period at the end of clause  
19 (vi) and inserting “; or”; and

20           (4) by inserting after clause (vi) the following  
21 new clause:

22                   “(vii) the Nonappropriated Fund  
23                   Health Benefits Program of the Depart-  
24                   ment of Defense, established under section  
25                   349 of the National Defense Authorization

Passed the House of Representatives March 20,  
2010.

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